

**BOROUGH OF DUMONT  
BERGEN COUNTY, N.J.  
PUBLIC MEETING MINUTES  
OCTOBER 19, 2010  
7:00 PM**

Mayor McHale called the meeting to order at 7:50PM

**Flag Salute; Silent Prayer**

**Sunshine Law:** The notice requirements of the Open Public Meetings Act of the State of New Jersey have been satisfied by the inclusion of the date, time and place of this regular meeting in the annual schedule and notice of regular meetings of this Governing Body. Such annual schedule and notice of regular meetings is posted at Borough Hall, was sent to *The Record* and the *Press Journal*, posted on the Borough website and filed with the Borough of Dumont on January 5, 2010.

**Roll Call:**

Council members: Carrick, Freeman, Manna, Stylianou, Zamechansky-present  
Councilman Caspare-absent-excused  
Mayor McHale-present

Mayor McHale stated that as a result of the Council Executive Meeting, #10-278 has been added-the approval of Phase I for Remediation of TwinBoro Field-not to exceed \$52,000

Motion to Accept Agenda as presented: Councilman Stylianou  
Second: Councilman Carrick  
All in favor.

Mayor McHale presented a proclamation to Eagle Scout Nicholas Cytowicz  
Councilman Stylianou recognized Sal Maurice, Marc Riemann, Chris Stone, Matt Stone, Sal Maurice Jr.-Boy Scout Troop 64-for volunteering at the Dumont Day 5K Run and the Pasta Dinner. These events helped raise \$13,000 to help Dumont families in need.

Mayor McHale requested a motion from the Governing Body to suspend normal proceedings in order to address the issue discussed during the executive meeting:  
Councilman Carrick  
Second: Councilman Manna  
All in favor.

The Mayor apologized for the fifty minute delay and stated that the issue they were discussing is one that is grave and serious to the Borough. On September 29, 2010 the Borough received correspondence from the Department of the Environmental Protection Agency regarding five open contamination cases at our DPW site. Having taken office in 2005, this is the first time he was aware of this problem. Mayor Winant

entered into agreement with the DEP and a number of consultants and attorneys were retained. On or about 1996, the consultants demanded payment for their services. From 1997 to 2001, much correspondence appeared in files obtained by Mr. Perkins from the counsel at the time, William DeLorenzo. These files were not found at Borough Hall. In 2001, the file stopped and for nine years there was no communication between the DEP and the Governing Body and officials at the time. The Borough will be pursuing criminal action and contacting the Attorney General's office for official misconduct. In the meantime, at the executive meeting the Council authorized the Borough engineer to initiate a proposal so that an LSRP, who is a state-certified master, can work to begin a remediation plan. The contaminants we are aware of as of this date are related to gasoline spills and their byproducts. There are a number of documents yet to be received by the Department of Environmental Protection. After almost five years of trying to get the Borough back on track, following numerous corrective actions regarding the Borough's finances and holding the Governing Body accountable to the taxpayers, this is another example of the lack of responsibility by Mayor McHale's predecessor and his administration. That lack of responsibility will undoubtedly add additional costs to remediate this site. This matter needs to be addressed in a very professional manner and in a communicative way. The Mayor will be reaching out to residents and employees.

Councilman Stylianou suggested that the Mayor speak to residents on Omaha Street. He stated that many people on that block suffered from some debilitating disease. Councilman Stylianou pointed out that there were five separate incidents with five separate files. There were voluminous files, correspondence to Mayor Winant, which were not found.

Councilwoman Zamechansky said that when work was begun on TwinBoro Field, the first thing she requested, as Recreation liaison, was to have the field tested. The fact that the previous administration knew there was a problem that could affect people's health and didn't follow up, is appalling.

Councilman Manna stated he found it disturbing that the records were not found at Borough Hall. If Mr. Perkins was not able to obtain the records from the counsel who served during the time period this problem took place, we would not really have an idea how deep and how wide this problem is. Our borough attorney sent an OPRA request to the DEP in order to fill in some of the gaps. We are now saddled with an issue from ten to fifteen years ago.

Councilman Freeman said that it is very unfortunate that something that could have been remediated had not been taken care of and that that could potentially have resulted in people having health issues. Everyone on the dais is doing everything they can to remediate this.

Councilman Carrick expressed concern that this is an issue from 1986 and it will now be a burden on the current taxpayers since it will probably not be covered by insurance.

Mr. Perkins said that one of the disheartening things about this, as a borough administrator, is that we are always trying to find ways to save the Borough money. As soon as he was notified he called the Joint Insurance Fund only to find out that we are not covered for this problem. The reason for this is that the JIF was never notified about these tanks. This will not only impact the taxpayer for the total cost but projects like the curb and sidewalk replacement, which we have been talking about for years, the Library

Historic matching grant project and others will have to be put off to put money toward the DPW remediation.

Motion to open to the public: Councilman Carrick

Second: Councilman Freeman

All in favor.

1. Sandy Fernandez, 199 Summit Avenue, asked if the wells are currently being monitored. She asked whether the company which did the testing could be contacted and whether there was ever a no further action letter. She asked about the accessibility of the documents.
2. Sal Maurice, 25 Druid Avenue, asked if the results of levels at the DPW from 1996 are available. He volunteered his scouts' services to take water samples of the brook. He asked for a copy of the budget in order for his scouts to earn their merit badge.
3. Adriann Green, 68 Juniper Street, asked why we didn't hear about the DPW problem for nine years.
4. Kai Chen, 90 Teak Road, asked that the documents be put on the borough website.

Motion to close to the public: Councilman Carrick

Second: Councilman Freeman

All in favor.

### **Approval of Minutes:**

Motion to approve the September 21, 2010 Executive Meeting minutes: Councilman Carrick

Second: Councilwoman Zamechansky

Roll call vote: council members Carrick, Freeman, Stylianou, Zamechansky-yes

Councilman Manna-abstained

Motion to approve the September 21, 2010 Public Meeting minutes: Councilman Stylianou

Second: Councilman Freeman

Roll call vote: Council members Carrick, Freeman, Stylianou, Zamechansky-yes

Councilman Manna-abstained

Motion to approve the October 5, 2010 Closed Session minutes: Councilman Carrick

Second: Councilman Freeman

Roll call vote: Council members Carrick, Freeman, Manna, Stylianou, Zamechansky-yes

Motion to approve the October 5, 2010 Executive Session minutes: Councilman Carrick

Second: Councilman Freeman

Roll call vote: Council members Carrick, Freeman, Manna, Stylianou, Zamechansky-yes

### **Council Committee Reports**

The council members deferred their reports for another time.

**Review of Consent Agenda Items:** All items with an asterisk are considered to be non-controversial by the Council and will be approved by one motion. There may be further discussion prior to the vote upon request of a member of the public or a Council member. Also, any item may be removed for further discussion or for roll call vote in which case

the item will be removed and considered in its normal sequence as part of the general order of business.

**RESOLUTIONS**

#10-275 Bills List \* Motion by Councilwoman Zamechansky to move to non-consent.

#10-276 Authorization of Shared Services Agreement between Dumont (Member of Riverside Cooperative) and the County of Bergen for Mounted Infrared Restoration System for Asphalt \*

#10-277 Community Development Account to be Opened at North Jersey Community Bank \*

#10-278 Authorization for Alaimo Group to Complete Phase I-TwinBoro Field-not to exceed \$52,000 \*

Motion to adopt: Councilman Carrick

Second: Councilman Freeman

Motion to open to the public: Councilman Stylianou

Second: Councilman Carrick

All in favor.

Motion to close to the public: Councilman Carrick

Second: Councilman Freeman

All in favor.

Councilman Freeman stated that the Borough engineers were consulted on #278 and they found it to be reasonable.

Roll call vote: Council members: Carrick, Freeman, Manna, Stylianou, Zamechansky-yes  
Motion carried.

**Non-consent Agenda**

#10-275 Bills List

Motion to adopt: Councilman Stylianou

Second: Councilman Freeman

Motion to open to the public: Councilman Carrick

Second: Councilman Freeman

All in favor.

- I. Kai Chen, 90 Teak Road, questioned check #48371 payable to C3 Citizens Communication. He said the twitter site was alive until August 30<sup>th</sup>.

Motion to close to the public: Councilman Stylianou

Second: Councilman Freeman

All in favor.

Roll call vote: Council members: Carrick, Freeman, Manna, Stylianou-yes

Councilwoman Zamechansky-abstained

Motion carried.

The Mayor reiterated that if anyone has any questions, they can call the Borough Clerk's office and the Governing Body's contact information is on the borough website. It is very important that residents receive factual information

Motion to adjourn: Councilman Carrick  
Second: Councilman Freeman  
All in favor.

Mayor McHale announced that the next meeting will be held November 4, 2010 at 6:30.

Meeting adjourned at 8:50 PM

Minutes respectfully submitted by:  
Susan Connelly, RMC  
Borough Clerk